



JC06 Rec'd PCT/PTO 21 OCT 2005

PCT

Atty. Dkt. No. 1556-104

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: BMP Environmental Group,  
Inc.


Title: CONCRETE WASH OUT  
AND SLURRY CAPTURE  
METHOD AND SYSTEM

Appl. No.: 10/537,140

Filing Date: March 16, 2005

Examiner: Not yet assigned

Art Unit: Not yet assigned

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<b>BERNARD L. KLEINKE</b>	
(Printed Name)	
	
(Signature)	
EV 615783742 US	10/21/05
EXPRESS MAIL LABEL NO.	(Date of Deposit)

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are:

- ☒ Return Receipt postcard
- ☒ Information Disclosure Statement Under 37 CFR § 1.56
- ☒ Form PTO/SB/08A with listed reference
- ☒ PCT International Search Report
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check

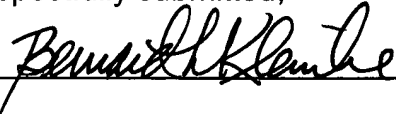
being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: October 21, 2005

DUCKOR SPRADLING METZGER & WYNNE  
A Law Corporation  
401 West A Street, Suite 2400  
San Diego, CA 92101-7915  
Telephone: 619.231.3666  
Facsimile: 619.231.6629  
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Respectfully submitted,

By 

Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

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EV 615783742 US	10/24/05
EXPRESS MAIL LABEL NO.	(Date of Deposit)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listed document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR § 1.56.

The submission of the document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The document listed on the attached Form PTO/SB/08A was cited as being relevant during the prosecution of the corresponding foreign application. A copy of the International Search Report is attached setting forth the portion of the document considered relevant by the Examiner.

Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initial copy of the Form PTO/SB/08A be returned in accordance with MPEP § 609.

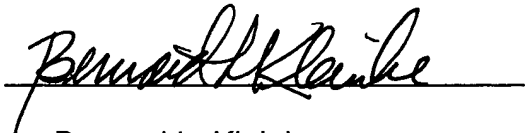
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Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

**AUTHORIZATION TO PAY AND PETITION FOR THE  
ACCEPTANCE OF ANY NECESSARY FEES**

The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

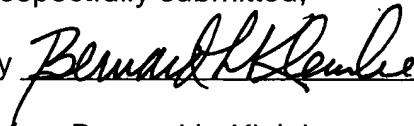
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Respectfully submitted,

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Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<b>Complete if Known</b>	
				Application Number	10/537,140
				Filing Date	March 16, 2005
				First Named Inventor	DeCollibus et al.
				Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
				Attorney Docket Number	1556-104
Sheet		of			

[illegible][illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*